

CLARK COUNTY ANIMAL ADVISORY COMMITTEE

MINUTES

**Parks & Community Services Administration Building
2601 East Sunset Road, Park Police Conference Room
Las Vegas, Nevada 89120
April 12, 2005
6:30 p.m.**

MEMBERS PRESENT: DALEY, BARBARA (BD)
HORN, KENNETH (KH)
OLSEN, DENNIS (DO)
POOLER, TOM (TP)

1. Call to order

The meeting was called to order at 6:39 p.m.

2. Approval of agenda

A motion to approve the agenda was made and seconded.

3. Approval of March 8, 2005 Minutes

A motion to approve the minutes was made and seconded.

4. Recommend a procedure to award grants from Animal Appreciation License Plate proceeds

Currently \$1,100 in the fund. TP – Clark County has a program where they give out free spay/neuter certificates to any citizen. Clark County has a list of participating veterinarians. Some will take the voucher as partial payment and others as full payment. Some don't recognize them at all. JOE BOTEILHO (JB) - The success of this program is gauged by looking at the statistics of Clark County impound numbers. We have stayed statistically flat while our population grew. We run the program once a year in January so it doesn't conflict with our veterinary base at other times of the year. We do no cost, low cost and some just subtract it from the regular cost. At this time we do about 750 a year.

DO – we are supposed to recommend a procedure to award grants. We are not giving any money out. I like the idea of opening this up to organizations. We have to come up with some sort of application form for them to meet certain criteria. TP – right now with Clark County they just come in and ask for a voucher. DO – so there is no application process for this money. I like the idea that people can do it but there are low cost places already out there. If you see some little Fifi that lives inside and that animal never gets outside that animal is not really a threat. If it is the dog that gets out because they don't keep it in the house, that animal needs it more. I can spend that much money on one surgery. If we want to make it go as far as we can, I would like to target those areas where the animals are essentially the threat animals and then work on it with the organizations.

JB - One of the things we want to safeguard against is people stealing money. Whenever you have money disbursements like that, money is not accounted for. The beauty of the vouchers is people don't have money in their hands. If you use the voucher program to make awards to various groups, they can use the vouchers just like cash. That will be a great way to get the money out. We assign values - \$10, \$20, \$30, \$40 and if you are a non-profit paying full price now having \$40 to pay for that dog spay will probably be helpful. You

are not trying to solve all the problems. Oftentimes when you see programs like this someone is going to be reporting, like you said, \$1,100 on one surgery. Is it fair for somebody to do 6 \$1,100 surgeries when we are trying to help? If you look at the non-profits in the valley, the number one sterilization non-profit has been Lied. Do you want to give all the money to Lied and distribute a little bit to everybody else? That is probably not fair. You need to look at a more global perspective on how the money can be distributed evenly. You have to be careful because the state law says non-profit, not non-profit animal group. If a Boy Scout wants to do an Eagle Scout project and he wants \$500, I guarantee you he will be before the Board.

BD – I would like to put on the table that we take the money and evenly distribute it within non-profit organizations, members of the public and medical providers. JB - The state law says it can be used for adoptions and sterilizations or grants can be made to non-profit organizations for the same use. I think the public program is actually fairly well funded. Clark County funds their program through a different mechanism where we distribute about \$35,000 straight to the general public. About \$25,000 is distributed straight to the general public. If you have a pet, you can get one. We have targeted \$10,000 for seniors and we have gone to where they are really needed by distributing them through Parks at the community centers, the Senior Advocate program and some of the community centers that have outreach programs for those that may need additional service. TP – so this \$1,100 is just an addition. JB – We actually have to keep it separate as this is totally different and if we are going to get the state money within that pot distributed appropriately we need to do it this way. DO – so this \$1,100 is kept separate from those vouchers and we can have people apply for funds out of this directly. JB – that is why I recommend we use the voucher program so nobody is handling money. It would be a specific voucher so that if a non-profit for example was awarded by the Board \$400 in sterilization vouchers, we would give them 10 sterilization vouchers with a maximum of 10 dog spays at \$40 each. Let's say they do all cat neuters so they have only used \$100. They can come in and get vouchers up to that figure and continue to roll along so that it helps expand their program. It creates a very level playing field for everyone. County vouchers are just like cash. TP – who is going to oversee this process? JB- the applications can come before this Committee to make recommendations and then go the Commissioners for approval.

TP – I recently purchased this license plate and got it personalized for a grand total of \$96. It was unimpressive that only \$25 of that \$96 goes to this program and \$25 next year. I was hoping more of that money would go into this program. Citizens should be able to have a place to donate money to get animals spayed or neutered. Set up something so people could donate the money.

JB – once the new budget is approved, I will check on how long finance will make us wait to make these awards then we will have a time certain and you can make an announcement. I will find out if they will let us start July 1. TP – could you also find out about the public giving money? Would make a recommendation that the Committee award the grants to non-county funded non-profits. All in favor – approved.

5. Establish priorities of pending ordinances recommended by the Committee

JB – we are looking at 3 separate programs - exotic animal ordinance, a tethering ordinance and a sterilization ordinance that was approved by this Committee. You are being asked to prioritize. We are looking at a resource issue. Whatever your recommendation is for these 3, it will go to senior staff. They will make a recommendation to the BCC, which will become public on May 10. They will post their agenda. There are 500+ positions seeking approval in the county budget for new positions. It looks like they will be able to fund around 100 of them. So if your recommendation is not funded for resources in this current budget, on May 16 at the BCC meeting this Committee and/or the public can request to the Board directly that it be reconsidered and then it is up to the Board. The Board makes the final decision on all resources.

To refresh your memory the exotic animal ordinance had one F.T.E. (full time equivalent). One animal control officer was going to do the investigations and handle the applications. The exotic animal ordinance would seek to grandfather some facilities but would look at the care, control, housing, expertise and

background of the people that were going to be handling these exotic animals in our community. It would also have a care and identification program for these animals. It is actually posted on the web. This was put together about 5 years ago at the request of the Regional Planning Coalition. DO – funding would go for this one F.T.E. officer to take care of this? JB – correct. DO – we have no such means now at all in all of Las Vegas with all the exotics we have? JB – no, right now it is a zoning issue. You need a zoning variance or a use permit to own an exotic animal depending on what animal control's input is, we give them the USDA line on what the caging should be and the facility. The owner's background is not taken into account. If they are going to have a tiger, there is no training or expertise required in the background of the person. It takes into account specific caging.

The next ordinance was tethering which was developed last year. It makes it illegal to tie an animal for any length of time to a stationary object. This particular ordinance was estimated at 2 F.T.E.s to enforce the provisions. The other was a sterilization ordinance. This is probably the one area that has not been finalized because it hasn't been before the District Attorney. It sought to make it illegal to own a fertile animal without a dog/cat fancier's permit. My suggestion was a reactive approach if the animal is in violation. If the animal is caught running loose and ends up at the shelter, it is required to be sterilized before it comes out and is released to the owner. If the animal is running down the street biting people or some other violation, it could be required that the animal be sterilized. We could write a citation and criminally prosecute them. Some of the public thought we should knock door-to-door and go in conjunction with some of the other programs out there. If you are going to do a canvassing program it gets to be very expensive and requires a large number of personnel. Even if you were going for a targeted approach where you will do smaller canvassing, it is still 9 additional F.T.E.s. A directed approach where you have specific complaints would be a minimum of 2 F.T.E.s. The lowest level would be reactive. If we did reactive which is if your dog is caught and taken to the shelter, we could probably do it with none. We could do it as a course of business. If you are going to get your dog back, it is going to have to be sterilized. We felt we could do that and still do the dogs running loose that may be in violation because we could do a criminal citation as we would do a no rabies vaccination. There are 4 levels. They go from 16 F.T.E.s if you really wanted to be aggressive; 9 F.T.E.s where you actually have a targeted small scale follow-up; 2 F.T.E.s to have specific directed; or none if it is totally reactive where you don't go out, people can't call up and say Dave has an unsterilized dog next door to me. I want you to come out and enforce that. That would be 2 F.T.E.s which would be complaint driven. It really comes down to how much compliance do you want? Do I really care if grandma's Chihuahua is never out of the house, never bites anybody, never been out of the yard in 18 years?

KH – I think we had decided we weren't going to do the headhunted type of environment. The dogs that are in the houses, a lot of these people don't sterilize their pets. They don't leave the house. They take them for a walk and then they take them in. Most of those people are aware of the fact that they don't take their dog out when it is in season because there may be a dog at large. We weren't targeting those people. If the dog was out running at large, the only way they could get it back was if it was sterilized and had to be microchipped and we had fines.

DO – you have to look at this tethering law with a little bit of a different eye. I can tell you stories that will make you cry. One little boy was killed in front of his brother because two dogs that were not tethered attacked him and killed him right in front of his little brother who was in a tree trying to get away from them. Now, if those two dogs had been tethered that little boy would be alive. You have to look at this from different sides.

KH – Let's back up a little bit and understand just what tethering we are talking about. These are people who don't have block walls or fenced in yards who tie their dogs in the back yard because they don't want to leave it alone in the house cause the dog can't behave. They don't crate train. Tethering becomes a behavioral problem for the dog because it becomes a fight or flee situation. If another dog comes in to try to attack it, the dog can't get away. If children tease the dog, the dog will become aggressive because it can't get to that child. Once that dog gets off that tether, a child is going to walk by the neighborhood and all that

dog is going to see is this little person, and you are going to get more dog attacks due to tethering. DO – potentially. That is where we have to draw this line of not being so far on one extreme or the other. We have got to be someplace in the middle and have this tethering law something that is humane and feasible. Then you can go to your reactive and say these people are keeping this dog tethered outside because they can't keep him in the house and they can't do that. Then the reactive method of enforcement comes into play.

GREG WALLEN (GW), Senior Animal Control Officer, to speak on behalf of the Exotic Ordinance, has had over 30 years experience with exotic animals. Currently supervises inspections on exotics only on referral. It is woefully inadequate. The USDA does not regulate pets owned by private citizens. There are many activities that are not regulated in terms of exotic animals. The USDA does not regulate private zoos, game preserves, hunting preserves. In April of 2003, USDA released a position statement saying they believed only qualified trained professionals should own exotic animals, even if they were being kept as pets. They went on to say that these animals are not regulated when their ownership and care is intended as pets. Currently there are only 19 states that have any kind of regulations at the State level for exotic animals. In many states including Nevada, the Division of Wildlife has chosen not to regulate non-native wild exotic animals, especially those that are held as captive exotic animals. Many local ordinances are not in effect even though they may be published. In December 2003, the US Congress passed the US Wildlife Safety Law which was cosponsored by Senator John Ensign. The Humane Society of the United States has described this landmark legislation as being able to increase the protection for the public by banning the interstate movement of big cats for the exotic trade. Unfortunately, they are only referring to big cats. They go on to say this new law will not prevent the continued in-state breeding and sale of big cats and that is why the HSUS continues to encourage local states to adopt local ordinances for regulation. Dr. Ron DeHaven, the administrator of the Animal and Plant Health and Inspection Service, in 1997 indicated that no official statistics were available but anecdotal evidence points to an increased number of attacks and injuries, sometimes deadly, by exotic pets. I quote him "We deal on a regular basis with individuals who have been attacked by wild exotic animals so clearly there is a problem." In 1997, the CDC commissioned a study presented to the American Association of Veterinarians that tracked the genetic history of 59 primate species. That report found that 32% of the current living primate populations were permanently lost to dealers and private individuals. A website called Services.com captured some information that they recorded from 1990 to the present. There have been 610 animal incidents including 141 human deaths and 157 injuries to humans locally here. Almost ten years ago Clark County established a policy to respond to events where animals of an exotic nature were uncontrolled or unrestrained. Simply called "Procedures for handling loose or uncontrolled exotic animals." It is one page, very brief and non-descript. Therein lies one of the big problems that we have without a current exotic animal ordinance.

I recently received information from the Clark County zoning department. They reported that there are currently licensed in Clark County 37 premises that have passed some sort of zoning permit to house dangerous exotic animals. The problem with Animal Control's involvement in that licensing process is that we are only able to make recommendations. We have no force of law to enact or to order any particular engineering standards be accomplished, husbandry standards be maintained. Essentially we are giving a recommendation to the Board and they give the final say so. Of the 37 that Clark County zoning has advised us about, that is far over the number the USDA reports as licensed which is currently about 20. In February of this year there was a conclave of exotic animal owners from all over the United States that met at the Bonnie Springs Ranch. The flyer that went out in the underground presses invited them to bring their animals to Las Vegas. Recently my officers have conducted a number of investigations involving animals that were reported to the state, reported to have been at large. Criminal citations have been issued. In the last 6 months we have investigated animal escapes and attempts to escape or improper/illegal handling which involved a serval, 2 coatimundis, a bobcat, 2 leopards, 3 wolf hybrids, 4 chimpanzees, 2 lions and 2 tigers. In February of this year in California, there was an escape of a Bengal Tiger that was featured on the national news. The animal was captured and killed after being at large for a brief period of time. I have an investigation currently underway and have information that suggests to me that the remaining 21 animals of that compound are now illegally in Las Vegas at a location that is not licensed. There may be as many as 42 animals housed at a single

facility and I have no regulations with which to enforce that. The fact that we haven't had a serious problem in terms of traumatic events that you see on the evening news may just be sheer luck. We have already had a death and a serious injury here.

KH – how do we stand population wise in terms of exotic animals with other states? GW – I did a survey 10 years ago and haven't done one since. I found there were about 250 dangerous exotic animals, mostly carnivores, that were within a few miles of the Las Vegas strip. Based upon the numbers the HSUS puts out it is safe to say that 5% of all captive wildlife are held in Clark County. KH – With this kind of information why are we still below the national average for Animal Control Officers. Why can we not get the funding to do this? GW – The BCC has to be shown why they should move on this ordinance. They have to be shown that it is a necessity and they need to move forward. The fact that Senator Ensign thought it was appropriate to take it the U.S. Senate should speak volumes. The thing that concerns me now is that a number of animals have been moved into Clark County for no other reason than we have no exotic animal ordinance. They have been booted out of a neighboring state. They can't go into Arizona, Idaho or Utah because they are regulated. They are free until we get them on a zoning violation.

JB – Exotic animal ordinance took probably 2 years to put together. It is pretty extensive. We did lose Eric Bloom to a tragic accident that could have been prevented had we had this ordinance in place. It is public protection. KH – This is new for me but it seems to me it is an accident waiting to happen. Too many times we enact an ordinance after the fact. It makes sense to do it now.

DO – I have had a chance to listen to experts on the training of bio-terrorism and people don't really understand how the animal population relates to bio terrorism. You can bring one animal on purpose in with this law not being in effect and decimate not only the animal population but also the human population with these animals. If that isn't enough to get the Commission to start thinking about the people, I don't know what is. We don't want to ever have to deal with this in a retrospective manner. We want to deal with it now.

KH – Motion that Exotic Animal Ordinance be priority one; Sterilization priority two; Tethering priority three. Motion seconded and approved.

6. Recommendation to follow Title 10 and report directly to BCC

KH - According to the ordinance, we are supposed to be spokespeople to the County Commissioners. JB – every time we approve minutes, they go the Board individually. There is no problem if this Committee wanted to make a report to the BCC. Your issue is individually reported to each Commissioner. KH – We wanted to have a member of the Committee at the meeting. DO – what I understood was some of the things that were worked on by the Committee never made it to the Commissioners. JB – what some of the members were upset about was that their recommendations did not go directly from here to the agenda and go before the County Commissioners. DO – I understood that what we put forth was not getting to them. Am I misunderstanding what was going on? JB – the County Manager briefs them individually. That is his role. If you want to go before the Board and say, “okay we did this ordinance. Let me tell you about it and give a report.” Is that what you want to do? What better service can you get than have someone give the briefing to each commissioner individually. I am the ex-officio secretary for Don Burnette who is the one essentially in charge and we relay those facts to the Board. It doesn't matter if it is me or the Chief Administrator making the report. KH – our concern is that the County Manager obviously has to look at the fiscal impact and there is not a lot of background but more looking at the money. JB – it is all a resource issue. If it is fiscal impact neutral, it will probably not be an issue. If there is a fiscal impact, finance reviews it. DO – maybe it is going up but it is not being reported to this Committee. Now it sounds like it is not really a roadblock but we are just not really aware of what is going on. TP – if they are all getting the minutes, they know the input. DO – can someone go up and give a summary of what these meetings are and then ask the

Commissioners if they have any questions about the minutes they have received and read? JB – you can do it that way. If you want to make a recommendation that you speak to the Board at the meeting, it is at their pleasure. DO – if it is on the agenda, we could go before them and ask if they have any questions. DO – keep the same reporting processes in place but add an opportunity to go in front of the BCC to respond to any questions and ask for further input. At present, Chair or designee would be the person to go. Motion approved and seconded.

7. Information-sharing by Committee Members

Presentation to Karin Hoff to thank her for her service on last year's Committee. JB - John Pennell is working with us in a VMAP team and in July (11 through the 16th) we will be running an emergency exercise called Rotunda Thunda. We hope to use the new City Emergency Shelter. We are hoping we will get funding so we can get quantitative data on how many citizens we can serve. We want to do at least 1,000 free microchip implants while we are there and we will have that through the Shelter. Dr. Pennell is working with us on this. It will be a big drill. Animal Control has ended up being a global asset on things like this. One of the assets we are trying to exercise in emergency preparedness has been the federal asset and how we interface with Norcom and others. We will be working with the military to have a smooth transition. With the big weapons of mass destruction drills you have to have the military, as you will overwhelm the local assets. That was evident at the Muddy River flood. One military asset that was used was an animal issue. We had to order a helicopter to lift a 1,500 lb. Hay bales and shuttle feed to animals that were stranded on a island. Some of the smart guys up there thought they would move the calves over to dry land and they would be all right. They were going to move them by boat and other shuttle. It was like “dudes let us handle this. I am ordering a helicopter to drop the hay. Just leave them there. They can get water. They will be fine.” That is where you have to have emergency safety with animal people who know what they are doing.

8. Comments by the General Public

What happened with number 4? JB - Recommendation was that applications will come here and this committee will make recommendations. The voucher system will be used to distribute the funding to the various non-profits so there is a conduit to take the funding to veterinarians to get the services they need while yet tracking and having accountability. This Committee will review applications and we were looking at local non-County supported local groups.

9. Set date, time and agenda of next meeting

The next meeting was scheduled for Tuesday, May 10, at 6:30 p.m.

10. Adjournment

The meeting was adjourned at 9:06 p.m.